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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,691	08/28/2001	Jan Michielsens	Q65842	4452
7590	08/23/2005		EXAMINER	SALL, EL HADJI MALICK
SUGHRUE MION ZINN MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, NW. Washington, DC 20037-3223			ART UNIT	PAPER NUMBER
2157				

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/939,691	MICHELENS ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	EI Hadji M. Sall	2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 July 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-19 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____ .  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ .   | 6) <input type="checkbox"/> Other: _____ .                                  |

**DETAILED ACTION**

1. This action is responsive to the correspondence filed on February 11, 2005. Claims 1-19 are pending out of which claims 5 and 8-10 are cancelled. Claims 1, 2, 4, 6, 11-16 are amended. Claims 18 and 19 are added. Claims 1-4, 6-7 and 11-19 represent special gateway for multimedia networks.

2. ***Claim Rejections - 35 USC § 102***

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-4, 6-7 and 11-19 are rejected under 35 U.S.C. 102(e) as being unpatentable over Beser et al. U.S. 6,496,867.

Beser teaches the invention as claimed including system and method to negotiate private network addresses for initiating tunneling associations through private and/or public networks.

As to claims 1, 11 and 12, Beser teaches a communications network and a method of controlling communication on a communications network comprising:

an originating Real Time Data over IP host (figure 1, item 24));

a terminating Real Time Data over IP host (figure 1, item 26);

communication control means for at least receiving information relating to the communication (figure 1, item 14; column 10, lines 22-23, Beser discloses he request to initiate the VoIP association is received on the first network device 14);

a first communication forwarding means that replaces a fixed IP address in a data packet sent from the terminating Real Time Data over IP host to the origination Real Time Data over IP host with a first dynamic IP address to conceal the fixed IP address of the terminating Real Time Data over IP host (figure 1, item 14); and

a second communication forwarding means that replaces a fixed IP address in a data packet from the originating Real Time Data over IP host to the terminating Real Time Data over IP host with a second dynamic IP address to conceal the fixed IP address of the originating Real Time Data over IP host (figure 1, item 16),

wherein, during the setup of a communication session between the originating Real Time Data over IP host and the terminating Real Time Data over IP host, the

communication control means controls the exchange of dynamic IP addresses between the first and second communications forwarding means (column 21, line 63 to column 22, line 21, Beser discloses the network address tables allow for the translation from the private network addresses to the public network addresses. For example, the transmission of a packet from the originating network device 24 to the terminating network device 26, without revealing the identity of either end on the public network 12);

As to claims 2 and 13, Beser teaches the network according to claims 1 and 12, wherein at least part of the network between one of the communication forwarding means and one of the Real Time Data over IP hosts is a Real Time Data over network (column 3, lines 1-4, Beser discloses the present invention may provide for the initiation of a Voice-over-Internet-Protocol association between an originating telephony device and a terminating telephony device).

As to claims 3 and 14, Beser teaches the network according to claims 2 and 13, further comprising a plurality of communication forwarding means, wherein each of the Real Time Data over IP hosts is connected to a selected one of the communication forwarding means (figure 1);

As to claims 4 and 15, Beser teaches the network according to claim 1 and 12, wherein at least one of the communication forwarding means comprises a translation means that translates an external reference of one or both of the hosts into an internal reference (column 21, line 63 to column 22, line 21, Beser discloses the network address tables allow for the translation from the private network addresses to the public network addresses. For example, the transmission of a packet from the originating network device 24 to the terminating network device 26, without revealing the identity of either end on the public network 12);

As to claims 6 and 16, Beser teaches the network according to claims 1 and 12, wherein the communication forwarding means further comprises tracking means for measuring at least one predefined parameter related to the communication and the communication forwarding means comprises transmitting means for transmitting the measured value to a selected data receiver (column 10, lines 22-36, Beser discloses the originating telephony device 24 is a phone that is physically connected to the first network device 14 the request may include an electrical signal measured by an interface to an application on the first network device 14 as a result of the phone going "off-hook").

As to claims 7 and 17, Beser teaches the network according to claim 1, wherein at least one of the Real Time Data over IP hosts comprises message means for transmitting a message to the communication control means to indicate that a communication session is in progress (figure 1, item 20).

As to claims 18 and 19, Beser teaches the network according to claim 1, wherein the first and second communication forwarding means each comprise a translation means for a fixed IP address of a Real Time Data over IP host into a dynamic IP address (column 21, line 63 to column 22, line 47, Beser discloses the network address tables allow for the translation from the private network addresses to the public network addresses. For example, the transmission of a packet from the originating network device 24 to the terminating network device 26, without revealing the identity of either end on the public network 12);

**4. Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall  
Patent Examiner  
Art Unit: 2157

*ES*

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